

City Council
Atlanta, Georgia

04-0-0073

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-03-88
12/9/03

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **the N.E. corner of Pryor Road, S.W. and Thirkeld Avenue, S.W.** be changed from the **C-1-C (Community Business-Conditional)** District to the **C-3-C (Commercial-Residential Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots **72 & 73** of the **14th** District of **Fulton** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

PARCEL 13 LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 72 & 73 OF THE 14TH DISTRICT OF FULTON COUNTY, (CITY OF ATLANTA) GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF PRYOR ROAD (APPARENT 55 FOOT RIGHT OF WAY, 27.5 FEET EAST OF CENTERLINE) AND THE SOUTHERLY RIGHT OF WAY LINE OF MOURY AVENUE (60 FOOT TOTAL RIGHT OF WAY WIDTH);

THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF PRYOR ROAD, SOUTH 03 DEGREES 00 MINUTES 15 SECONDS WEST, 350.54 FEET TO A POINT;

THENCE CONTINUING ALONG THE EASTERLY RIGHT OF WAY LINE OF PRYOR ROAD, SOUTH 02 DEGREES 49 MINUTES 38 SECONDS WEST, 238.94 FEET TO AN "X" SCRIBED IN CONCRETE, SAID POINT BEING THE POINT OF BEGINNING;

THENCE LEAVING THE EASTERLY RIGHT OF WAY LINE OF PRYOR ROAD, SOUTH 87 DEGREES 10 MINUTES 22 SECONDS EAST, 231.27 FEET TO A 1/2" REBAR AND SURVEYOR'S CAP SET;

THENCE SOUTH 02 DEGREES 10 MINUTES 50 SECONDS EAST, 131.39 FEET TO A 1/2" REBAR AND SURVEYOR'S CAP SET;

THENCE SOUTH 26 DEGREES 07 MINUTES 00 SECONDS EAST, 250.84 FEET TO A 1/2" REBAR AND SURVEYOR'S CAP SET;

THENCE SOUTH 57 DEGREES 29 MINUTES 58 SECONDS WEST, 187.04 FEET TO A 1/2" REBAR AND SURVEYOR'S CAP SET;

THENCE NORTH 85 DEGREES 51 MINUTES 35 SECONDS WEST, 211.59 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF PRYOR ROAD, SAID POINT BEING 27.5 FEET EAST OF CENTERLINE;

THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF PRYOR ROAD, NORTH 02 DEGREES 49 MINUTES 38 SECONDS EAST, 453.70 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 2.9441 ACRES (128,243 SQUARE FEET).

MOURY AVE.

60' R/W

PB 231 PG 21

THIRKELD AVENUE

60' R/W

PB 231 PG 20

SSMH
TOP=987.0
IN=974.3(N)
IN=974.3(W)
OUT=974.1(E)
TABLE=974.2

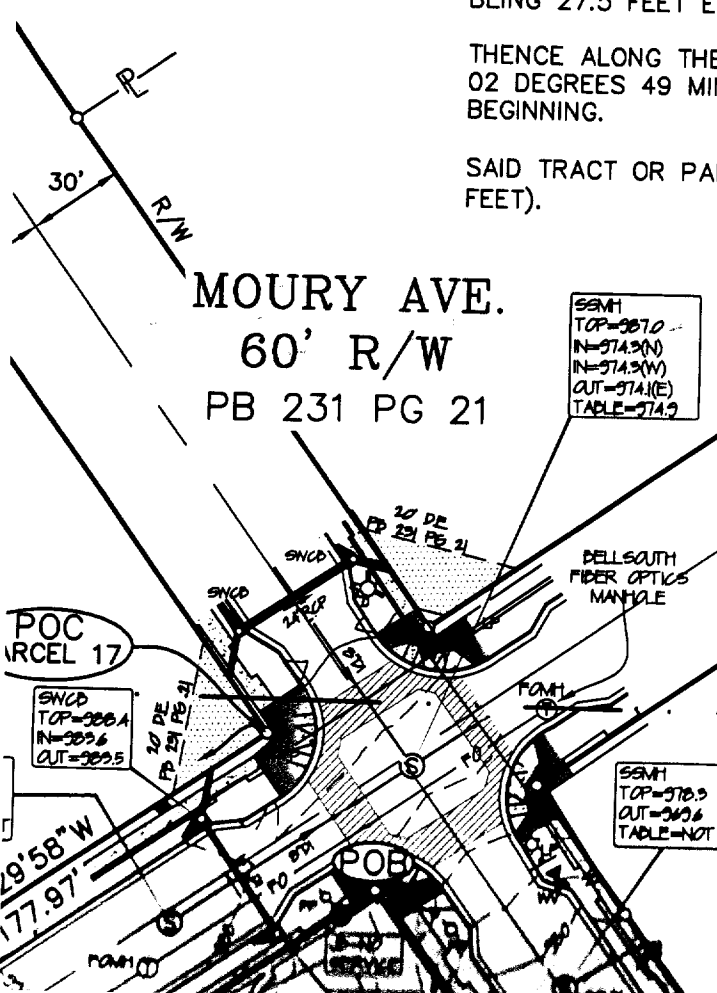
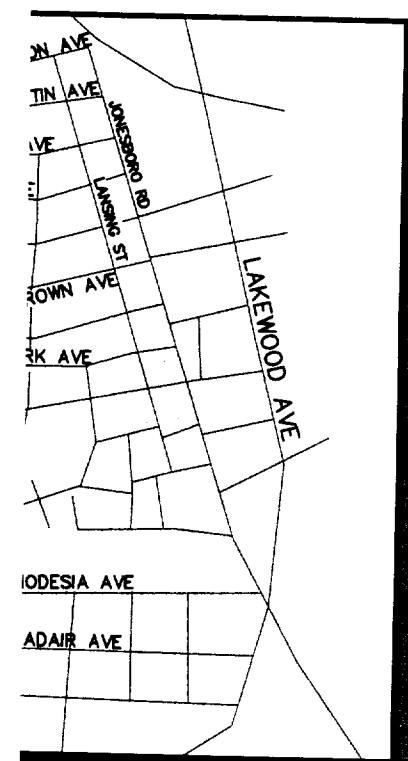
BELLSOUTH
FIBER OPTICS
MANHOLE

SSMH
TOP=970.5
OUT=969.6
TABLE=NOT BUILT



APPROXIMATE LOCATION LAND LOT LINE

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37.10'



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177.97'

PARCEL 17 LEGAL DESCRIPTION

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ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 72 & 73 OF THE 14TH DISTRICT OF FULTON COUNTY, (CITY OF ATLANTA) GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" REBAR AND SURVEYOR'S CAP SET AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF MOURY AVENUE (60 FOOT TOTAL RIGHT OF WAY WIDTH) AND THE NORTHWESTERLY RIGHT OF WAY LINE OF THIRKELD AVENUE (60 FOOT RIGHT OF WAY WIDTH);

THENCE ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF THIRKELD AVENUE SOUTH 57 DEGREES 29 MINUTES 58 SECONDS WEST, 177.97 FEET TO A 1/2" REBAR AND SURVEYOR'S CAP SET ON SAID RIGHT OF WAY LINE, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF THIRKELD AVENUE , SOUTH 57 DEGREES 29 MINUTES, 58 SECONDS WEST, 215.39 FEET TO A POINT;

THENCE CONTINUING ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE OF THIRKELD AVENUE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 12.79 FEET, SAID CURVE HAVING A RADIUS OF 20.00 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 75 DEGREES 49 MINUTES 11 SECONDS WEST, 12.57 FEET TO A POINT;

THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF THIRKELD AVENUE, NORTH 85 DEGREES 51 MINUTES 35 SECONDS WEST, 296.16 FEET TO A 1/2" REBAR AND SURVEYOR'S CAP SET AT THE SOUTH CORNER OF THE REQUIRED MITERED RIGHT OF WAY LINE OF THIRKELD AVENUE;

THENCE ALONG SAID REQUIRED MITERED RIGHT OF WAY LINE OF THIRKELD AVENUE, NORTH 41 DEGREES 30 MINUTES 59 SECONDS WEST, 28.61 FEET TO A POINT AT THE INTERSECTION OF THE NORTH CORNER OF THE NORTHERLY REQUIRED MITERED RIGHT OF WAY LINE OF THIRKELD AVENUE AND THE EASTERLY RIGHT OF WAY LINE OR PRYOR ROAD (APPARENT 55 FOOT TOTAL RIGHT OF WAY WIDTH, 27.5 FEET EAST OF CENTERLINE);

THENCE LEAVING THE REQUIRED MITERED RIGHT OF WAY LINE OF THIRKELD AVENUE AND ALONG THE EASTERLY RIGHT OF WAY LINE OF PRYOR ROAD, NORTH 02 DEGREES 49 MINUTES 38 SECONDS EAST, 205.00 FEET TO A POINT;

THENCE LEAVING THE EASTERLY RIGHT OF WAY LINE OF PRYOR ROAD; SOUTH 85 DEGREES 51 MINUTES 35 SECONDS EAST, 211.59 FEET TO A 1/2" REBAR AND SURVEYOR'S CAP SET;

THENCE NORTH 57 DEGREES 29 MINUTES 58 SECONDS EAST, 187.04 FEET TO A 1/2" REBAR AND SURVEYOR'S CAP SET;

THENCE SOUTH 26 DEGREES 07 MINUTES 00 SECONDS EAST, 57.56 FEET TO A 1/2" REBAR AND SURVEYOR'S CAP SET;

THENCE NORTH 57 DEGREES 19 MINUTES 19 SECONDS EAST, 2.73 FEET TO A 1/2" REBAR AND SURVEYOR'S CAP SET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT 97.17 FEET, SAID CURVE HAVING A RADIUS OF 1270.00 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 30 DEGREES 44 MINUTES 49 SECONDS EAST, 97.15 FEET TO A 1/2" REBAR AND SURVEYOR'S CAP SET;

THENCE SOUTH 32 DEGREES 56 MINUTES 20 SECONDS EAST, 95.63 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 2.5346 ACRES (110,408 SQUARE FEET).

SURVEYOR'S NOTES

2-03-88

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SEILER

& ASSOCIATES, INC.

GRAPHIC

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Conditions for Z-03-88

Site plan titled Pryor Road Mixed Use, by Rees/Design Associates, P.C., dated December 1, 2003, and stamped as received by the City of Atlanta Bureau of Planning on December 9, 2003

